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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.
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15 NANAIMO FOTU' AIKA,

16 Defendant.
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Case No.: 12-cv-04963 JSC

**ORDER RE: PLAINTIFF'S MOTION
FOR SUMMARY JUDGMENT (Dkt.
No. 27)**

18 Plaintiff filed a Motion for Summary Judgment pursuant to Rule 56 of the Federal
19 Rules of Civil Procedure on June 3, 2013 which is noticed for hearing on July 18, 2013. (Dkt.
20 No. 27.) To date, Defendant has not filed an opposition or statement of non-opposition to the
21 motion.
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23 Defendant is advised that a motion for summary judgment under Rule 56 will, if
24 granted, end your case. Rule 56 tells you what you must do in order to oppose a motion for
25 summary judgment. Generally, summary judgment must be granted when there is no genuine
26 issue of material fact—that is, if there is no real dispute about any fact that would affect the
27 result of your case, the party who asked for summary judgment is entitled to judgment as a
28 matter of law, which will end your case. When a party makes a motion for summary
judgment that is properly supported by declarations (or other sworn testimony), you cannot

1 simply rely on what your answer says. Instead, you must set out specific facts in declarations,
2 depositions, answers to interrogatories, or authenticated documents, as provided in Rule 56(e),
3 that contradicts the facts shown in the Plaintiff's declarations and documents and shows that
4 there is a genuine issue of material fact for trial. If you do not submit your own evidence in
5 opposition, summary judgment, if appropriate, may be entered against you. If summary
6 judgment is granted, there will be no trial. *Rand v Rowland*, 154 F.3d 952, 962-63 (9th Cir.
7 1998) (en banc) (App A).

8 Defendant shall file her opposition to the pending motion for summary judgment on or
9 before July 31, 2013. Plaintiff's reply, if any, is due August 14, 2013. The hearing on the
10 motion is reset to August 29, 2013, at 9:00 a.m. in Courtroom F, 450 Golden Gate Ave., San
11 Francisco, California.

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13 **IT IS SO ORDERED.**

14 Dated: July 1, 2013

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16 JACQUELINE SCOTT CORLEY
17 UNITED STATES MAGISTRATE JUDGE
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